

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FRED DANIEL REEVES,

Plaintiff,

No. 09-CV-10825-DT

vs.

Hon. Gerald E. Rosen

DONALD SPAULDING, et al.,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT

At a session of said Court, held in the  
U.S. Courthouse, Detroit, Michigan  
on January 8, 2010

PRESENT: Honorable Gerald E. Rosen  
United States District Judge

This matter having come before the Court on the November 4, 2009 Report and Recommendation of United States Magistrate Judge Mark A. Randon recommending that the Court grant Defendants' motion to revoke Plaintiff's *ifp* status under § 1915(g) and dismiss Plaintiff's complaint, without prejudice; and no timely objections to the Magistrate Judge's Report and Recommendation having been filed; and the Court having reviewed the Magistrate Judge's Report and Recommendation, and the Court's file of this action and having concluded that, for the reasons stated in the Report and Recommendation, Defendants' Motion should be granted and, as recommended by the Magistrate Judge, this case should be dismissed in its entirety, without prejudice, and the Court being otherwise

fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of November 4, 2009 [Dkt. # 40] be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendants' Motion to Revoke *In Forma Pauperis* Status [Dkt. # 32] be, and hereby is, GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Complaint is hereby DISMISSED, in its entirety, without prejudice.

s/Gerald E. Rosen  
Chief Judge, United States District Court

Dated: January 8, 2010

#### **CERTIFICATE OF SERVICE**

I hereby certify that on January 8, 2010, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Allan J. Soros, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Fred Reeves, Jr., #241575, St. Louis Correctional Facility, 8585 N. Croswell Road, St. Louis, MI 48880.

s/Ruth A. Brissaud  
Ruth A. Brissaud, Case Manager  
(313) 234-5137